

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re: Guidant Defibrillators Products
Liability Litigation

MDL No. 05-1708 (DWF/AJB)

This Document Relates to All Actions

ORDER MODIFYING PRETRIAL ORDER NO. 18

In a letter dated August 22, 2006, Guidant requests that the Court modify Pretrial Order No. 18. In that Order, the Court concluded that Guidant should redact only “information from public disclosure that specifically identifies certain patients. This information includes the names, addresses, social security numbers, electronic mail addresses, websites, telephone and facsimile numbers of the patients themselves and their treating physicians and facilities.” Because information from patients’ family members or treating nurses may also lead to identifiable information, Guidant seeks an amendment to that Order. Specifically, Guidant proposes the following amendment:

Defendants will redact information that specifically identifies patients, including the names, addresses, social security numbers, electronic mail addresses, websites, telephone numbers, and hospital identification numbers of the patients themselves. In addition, Defendants will redact similar information of patients’ treating and implanting physicians, nurses, facilities, and family members that would lead to specific patient information.

Guidant also seeks a two-week extension until September 29, 2006, to produce documents redacted in accordance with Pretrial Order No. 18. Plaintiffs do not object to Guidant’s request.

Therefore, it is **HEREBY ORDERED**:

1. Paragraph 2 of Pretrial Order No. 18 is modified as follows: Based on the presentations of the parties and the record before the Court, the Court concludes that 21 C.F.R. § 20.63(f) and 21 U.S.C. § 360i require Guidant to redact only information from public disclosure that specifically identifies patients. This information includes the names, addresses, social security numbers, electronic mail addresses, websites, telephone and facsimile numbers, and hospital identification numbers of the patients themselves. It also includes similar information of the patients' treating and implanting physicians, nurses, facilities, and family members that would lead to specific patient information. It does not include information that *may* lead to identifiable information, such as the country or state in which an event occurred or information relating to general sales, training, or advisory calls. Therefore, no later than September 29, 2006, Guidant is ordered to produce all previously redacted material that fails to comply with the standard set out in this Order. Guidant's future document productions must also comply with this Order.

Dated: August 23, 2006

s/Donovan W. Frank
DONOVAN W. FRANK
Judge of United States District Court